



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING SERVICES
DIVISION**

Paul Thompson
Deputy Director of Planning

HEARING DATE: June 9, 2011

ITEM NO.: 1

TIME: 10:05 am

TO: Placer County Planning Commission

FROM: Development Review Committee

DATE: June 9, 2011

**SUBJECT: VESTING TENTATIVE SUBDIVISION MAP/CONDITIONAL USE PERMIT/TREE
PERMIT (PSUB T20080329)
ENCLAVE AT GRANITE BAY
MITIGATED NEGATIVE DECLARATION**

COMMUNITY PLAN: Granite Bay Community Plan

COMMUNITY PLAN DESIGNATION: Rural Low Density Residential (0.9-2.3 acre minimum)

ZONING: RS-AG-B-40 PD 1.3 (Residential Single Family, combining Agriculture, combining minimum Building Site of 40,000 square feet, combining Planned Residential Development 1.3 units per acre)

STAFF PLANNER: E.J. Ivaldi, Supervising Planner

LOCATION: The project is located on the north side of Elmhurst Drive, east of the Ridgeview Elementary and Oakhills schools, and west of Pastor Drive, in the Granite Bay area (APN's 050-020-009,010,011 and 466-080-013).

APPLICANT: Camille Courtney, Rancho Cortina Properties, Inc. on behalf of Pastor Land Development Inc.

PROPOSAL: The applicant is requesting approval of 1) Vesting Tentative Subdivision Map; 2) Conditional Use Permit to allow a 12-lot Planned Residential Development, including two additional open space lots; and 3) Tree Permit to allow for the removal of Landmark cottonwood trees.

CEQA COMPLIANCE: An Addendum to a previously adopted Mitigated Negative Declaration has been prepared and finalized pursuant to the requirements of the California

Environmental Quality Act (CEQA). The Addendum to the previously adopted Mitigated Negative Declaration is attached (Attachment D) and must be found adequate by the decision-making body to satisfy the requirements of CEQA. A recommended finding for this purpose is attached.

PUBLIC NOTICES AND REFERRAL FOR COMMENTS:

Public notices were mailed to property owners of record within 300 feet of the project site. Consistent with Placer County Code 17.58.045 (Posting of Sites), a four-foot by four-foot public notification sign with the sign copy "Development Proposal Pending", was installed along the Elmhurst Drive frontage. Other appropriate public interest groups and citizens were sent copies of the public hearing notice, including the Granite Bay Municipal Advisory Council. Copies of the project plans and application were transmitted to the Community Development Resource Agency staff and the Departments of Public Works and Environmental Health Services, the Air Pollution Control District and Facility Services for their review and comment. The comments received from these agencies have been addressed and are included in this report.

PROJECT DESCRIPTION:

The Enclave at Granite Bay is an infill project that includes the subdivision of 12.07 acres into a 12-lot Planned Residential Development, including two additional open space lots. The residential lots would range in area from 15,000 to 26,911 square feet. Approximately 46 percent of the project site (± 5.6 acres) would be set aside as open space (Lots A and B). Lot A contains a wetlands preservation area, pedestrian path, landscaping, and a proposed emergency vehicle access road. Lot B contains a detention basin, pedestrian path connecting to the Ridgeview and Oakhills Schools, and landscaping. Solid wood fencing and retaining walls, where necessary, would be constructed along the project's perimeter. Access would be provided by the continuation of Pastor Drive (public road) at the north east portion of the site. The applicant proposes an emergency vehicle access (EVA) road to connect to Elmhurst Drive at the intersection with Swan Lake Drive (Option A), which would not be open to through traffic or project residents. To satisfy the requirements of the Land Development Manual, an alternative EVA road at the terminus of Sky View Lane (Option B) may be constructed instead of the "Option A" EVA road. A Public utility easement is proposed within Lot A in order for the project to connect to public sewer and water. A public sewer easement and sewer stub would be provided to the north project boundary at Skyview Lane for future sewer service to adjacent parcels. Project entitlements requested include a Vesting Tentative Subdivision Map, Conditional Use Permit, and Tree Permit to allow for the removal of two Landmark Cottonwood Trees which would be impacted with the installation of utilities and construction of the EVA road.

BACKGROUND:

Planning Commission Action

The Planning Commission originally considered the Enclave at Granite Bay project during two public hearings in July and August of 2009. On August 13, 2009, the Planning Commission took action to deny the Vesting Tentative Subdivision Map, Conditional Use Permit, and Tree Permit for a 26-lot Planned Residential Development. The Planning Commission also forwarded a recommendation to the Board of Supervisors to deny the proposed General Plan Amendment and Rezone (3 to 2; Commissioners Johnson and Denio voting no;

Commissioners Crabb and Brentnall absent). At the hearing, the Planning Commission expressed concern about the intensity of development, compatibility with adjacent land uses, and traffic and safety issues. An appeal was later filed by Camille Courtney, on behalf of Pastor Land Development, Inc. of the Planning Commission's denial of the project.

Board of Supervisor's Action

On October 20, 2009, the Board of Supervisors considered a request from Camille Courtney, on behalf of Pastor Land Development Inc. to continue its appeal off-calendar to allow the Enclave at Granite Bay project to be considered as part of the Granite Bay Community Plan update process, while reserving the right to request that the project be re-calendared at any time. The Board of Supervisor's granted that request.

About a year later, Camille Courtney, on behalf of Pastor Land Development Inc., submitted a letter to the Planning Department (dated September 28, 2010) requesting that the Enclave at Granite Bay project be re-scheduled for a hearing before the Board of Supervisors, given the Board of Supervisor's recent decision to update the Granite Bay Community Plan policy document only, without any changes to the land use diagram.

The Board of Supervisors re-considered the Enclave at Granite Bay project during two public hearings in November and December of 2010. On December 14, 2010, the Board of Supervisor's adopted a Mitigated Negative Declaration and approved a General Plan Amendment to change the land use designation on the project site to Rural Low Density Residential (0.9 to 2.3 acres per dwelling unit) and approved a Rezoning to RS-AG-B-40 PD 1.3 (Residential Single-Family, combining Agricultural, combining minimum Building Site of 40,000 square feet, combining Planned Residential Development 1.3 units per acre). In addition, the Board of Supervisor's denied the appeal without prejudice, in order to allow the applicant to resubmit a modified Vesting Tentative Subdivision Map with up to 13 residential lots, consistent with the General Plan Amendment and Rezone approved by the Board.

Granite Bay MAC

The *Granite Bay Municipal Advisory Council* (GBMAC) reviewed the revised Enclave at Granite Bay project at their March 2, 2011 meeting and voted unanimously (7-0) to recommend approval of the project with the stipulation that all perimeter lots maintain a 35 foot minimum setback adjacent to existing lots, with a minimum 10 feet dedicated as a landscape screen that includes evergreen trees and shrubs (See GBMAC Letter in Attachment E).

SITE CHARACTERISTICS:

The project site comprises 12.07 acres of undeveloped land characterized as open with relatively flat terrain at an elevation of about 300 feet. Vegetation onsite includes annual non-native grasslands, scattered trees including Blue and Interior Live Oaks, Red and Arroyo Willow, and Fremont Cottonwood; several seasonal wetlands and a large emergent marsh that is located in the southern portion of the property. The two large Fremont Cottonwood trees are designated "Landmark Trees" by resolution of the Placer County Board of Supervisors and are located within the County right-of-way along Elmhurst Drive. The Landmark trees are proposed to be removed for the proposed "Option A" emergency vehicle

access/utility easements off of Elmhurst Drive. Surrounding properties include large-lot rural residential land uses to the north including the terminus of Skyview Lane, a private road. There are rural low density residential uses to the east including the terminus of Pastor Drive (public road). Elmhurst Drive and Linda Creek Court border the project site to the south along with low density residential uses. The Ridgeview Elementary and Oakhills schools are located to the west along with some rural low density residential uses.

EXISTING LAND USE AND ZONING:

Location	Zoning	General Plan/Community Plan
Site	Residential Single-Family, combining Agricultural, combining minimum Building Site of 40,000 square feet, combining Planned Residential Development 1.3 units per acre (RS-AG-B-40 PD 1.3)	Rural Low Density Residential (0.9-2.3 acre minimum)
North	Residential Agricultural, combining minimum Building Site of 100,000 square feet (RA-B-100)	Same as project site
South	Residential Single-Family, combining Agricultural, combining minimum Building Site of 40,000 square feet (RS-AG-B-40)/Residential Single-Family, combining Agricultural, combining minimum Building Site of 20 acres, combining Planned Residential Development 2.27 units per acre (RS-AG-B-X 20 acre minimum PD 2.27)	Rural Low Density Residential (0.9-2.3 acre minimum)/Low Density Residential (.4-.9 acre minimum)
East	Residential Single-Family, combining Agricultural, combining minimum Building Site of 100,000 square feet, combining Planned Residential Development 2.1 units per acre (RS-AG-B-100 PD 2.1)	Rural Low Density Residential (0.9-2.3 acre minimum)
West	Residential Agricultural, combining minimum Building Site of 100,000 square feet (RA-B-100)/Residential Single-Family, combining Agricultural, combining minimum Building Site of 40,000 square feet (RS-AG-B-40)	Rural Residential (2.3-4.6 acre minimum)/Rural Low Density Residential (0.9-2.3 acre minimum)

DISCUSSION OF ISSUES:

Revised Vesting Tentative Subdivision Map

The revised Vesting Tentative Subdivision Map for the Enclave at Granite Bay project proposes to reduce the number of residential lots in the Planned Residential Development from 27 to 12 lots, and would no longer include an age-restriction. The proposed density is consistent with the Rural Low Density Residential (0.9 to 2.3 acres per dwelling unit) land use and RS-AG-B-40 PD 1.3 (Residential Single-Family, combining Agricultural, combining minimum Building Site of 40,000 square feet, combining Planned Residential Development 1.3 units per acre) zone district, approved by the Board of Supervisor's on December 14, 2010. The following table provides a comparison of the ORIGINAL Vesting Tentative Subdivision Map and the proposed revised map:

	Original Vesting Tentative Subdivision Map	Revised Vesting Tentative Subdivision Map
Project Site Area	12.07 acres	12.07 acres
Total Residential Lots	27 Lots	12 Lots
Lot sizes	5,355 to 11,407 Square Feet	15,000 to 26,911 Square Feet
Area of site dedicated to Open Space Lots	49%	46%
Oak Trees to be Removed	13	6
Impervious Areas/ Paved Roadways	17%/ 2 Acres	11%/ 1.31 Acres

As shown in the table above, the proposed project modifications would result in 15 fewer residential lots, lot sizes are much larger and more compatible with adjacent properties, there would be less impervious areas, and seven less oak trees would be impacted by development. The project is proposing 35 foot minimum setbacks along property lines to the east, west and north, where individual lots abut adjacent properties not part of this development. Additionally, the project is conditioned to provide a minimum 10' wide landscape easement planted with evergreen trees within the setback area to address concerns of neighboring property owners. Access to the site will now be provided by the continuation of Pastor Drive, eliminating the need for a through connection accessible to the public or project residents from Elmhurst Drive.

Emergency Vehicle Access (EVA)

The project proposes to construct an emergency vehicle access (EVA) road that would be accessed at Elmhurst Drive at the intersection with Swan Lake Drive, a portion of which is located off-site within an "Area A" for road and utility purposes irrevocably offered to Placer County, but not accepted by the Board of Supervisors (English Oaks Estates recorded on June 11, 1997). There would be one gate at the Elmhurst Drive connection point, accessible only by fire, emergency responders, and utility maintenance personnel, but closed to all other through traffic. The Elmhurst Drive EVA road (Option A) alignment requires the project to construct a bridge crossing over the on-site 100-year flood plain of the Linda Creek North tributary. Although the County is requiring an on-site EVA road (Option B extends from Pastor Drive to the northern project boundary at the terminus of Skyview Lane), the South Placer Fire District has indicated that the Elmhurst Drive EVA road provides the most direct route to Pastor Drive, which would result in a quicker response and arrival to emergencies for the Enclave residents and surrounding neighborhoods. To satisfy the Land Development Manual requirements regarding the maximum length of a deadend road, the project is conditioned to provide an EVA road at the terminus of Sky View Lane, unless the Elmhurst Drive EVA is provided. The on-site EVA road would be the least environmentally sensitive to

construct, impacts to the Linda Creek North tributary and the Landmark Cottonwood trees would be minimized, and the neighbors concerns about potential vehicle and/or pedestrian conflicts at the Elmhurst Drive/Swan Lake Drive intersection have been addressed.

Landmark Cottonwood Trees

Early on in the environmental review process, the applicant had two arborist reports prepared to assess the health of the Cottonwood Trees and address concerns about the potential risk of branch failure due to the age of the Cottonwood Trees and very large size. These reports indicated that there were several corrective actions that could be taken to significantly reduce the hazard potential and improve the structure of the Cottonwood trees. However, these reports also concluded, and the County's contracted peer review confirmed, that any development activity around the root zone of the trees would necessitate removal of the trees. Project's improvements would include the installation of water and sewer utilities and construction of the EVA road within the root zone of these trees. As such, the applicant has requested a Tree Permit to allow for the removal of the Landmark Cottonwood Trees.

RECOMMENDATION:

The Development Review Committee is recommending that the Planning Commission adopt the Addendum to the Mitigated Negative Declaration and **APPROVE** the Vesting Tentative Subdivision Map, Conditional Use Permit, and Tree Permit, based upon the attached findings and recommended conditions of approval.

FINDINGS:

CEQA:

The Planning Commission has considered the proposed Addendum to the Mitigated Negative Declaration, the proposed mitigation measures, the staff report and all comments thereto and hereby adopts the Addendum to the Mitigated Negative Declaration for the project based upon the following findings:

1. The Addendum to the Mitigated Negative Declaration for the Enclave at Granite Bay Subdivision project has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Mitigation measures include, but are not limited to: the payment of traffic mitigation fees to reduce transportation and circulation impacts; the construction of an on-site detention basin to mitigate the project's increase in peak flow runoff; the installation of BMPs for water quality impacts; the payment of in-lieu fees into the County's Tree Preservation fund for the loss of native trees; the payment into a wetland mitigation bank for the loss of wetlands; and preconstruction surveys for the western spadefoot toad.
2. There is no substantial evidence in the record as a whole that the project as revised and mitigated may have a significant effect on the environment.

3. The Addendum to the Mitigated Negative Declaration as adopted for the project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The mitigation plan/mitigation monitoring program prepared for the project is approved and adopted.
5. The custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

Vesting Tentative Subdivision Map:

1. The proposed subdivision, together with the provisions for its design and improvements, is consistent with the Granite Bay Community Plan, the Placer County General Plan and with applicable County Zoning Ordinances.
2. The site of the subdivision is physically suitable for the type and proposed density of development.
3. The project, with the recommended conditions, is compatible with the neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.
4. The design and proposed improvements of the subdivision are not likely to cause substantial environmental damage or public health problems.
5. The roadway proposed for this project (Land Development Manual, Rural Minor Residential R-3) is consistent with current County standards for public roadways.

Conditional Use Permit

1. The proposed use is consistent with applicable policies and requirements of the Granite Bay Community Plan and the Placer County General Plan.
2. The establishment, maintenance or operation of the proposed use will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County.
3. The proposed use as a Planned Residential Development subdivision will not generate a volume of traffic beyond the capacity of roads providing access to the use, consistent with the applicable requirements of the Placer County General Plan and the Granite Bay Community Plan.

Planned Residential Development

1. The proposed use and development of the property as a Planned Residential subdivision, together with the provisions for its design and improvements, is consistent

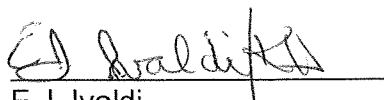
with objectives, policies, general land uses and programs as specified in the Placer County General Plan and the Granite Bay Community Plan as well as with all applicable provisions of the Placer County Code, with the exception of the open space requirement in which a Variance was granted. These include consistency with goals and policies relating to the use of Planned Residential Developments to retain/protect natural features on site and design the subdivision to provide for the least amount of site disturbance.

2. The proposed Planned Residential Development subdivision is consistent with respect to the purposes of a Planned Residential Development in that it will further the public health, safety, peace, morals, comfort, and general welfare by addressing the simultaneous needs of the County for: protecting environmentally sensitive areas; preserving natural resources; and conserving visual and aesthetic resources.
3. The proposed Planned Residential Development subdivision is consistent with the base zoning of RS-AG-B-40 PD 1.3 (Residential Single-Family, Combining Agricultural, Combining Minimum Building Site of 40,000 square feet, Planned Development 1.3), and is within the density limits of the Rural Low Density Residential (0.9-2.3 acre minimum) land use designation in the Granite Bay Community Plan.
4. The proposed Planned Residential Development subdivision includes two open space/common area lots (± 5.6 acres) that provide for resource protection, recreational amenity, as well as visual enjoyment. The open space/common area lots would be held in common ownership by the Homeowners Association, for the benefit of Placer County.
5. The proposed Planned Residential Development subdivision has been designed in a manner such that adequate public services are provided.
6. The design and density of the proposed Planned Residential Development subdivision are consistent and compatible with the character of the immediate neighborhood and will not be contrary to its orderly development.

TREE PERMIT:

1. Based upon the recommendation to approve the project, the removal of the landmark Cottonwood Trees is necessary and appropriate for the implementation of the project.

Respectfully submitted,


E.J. Ivaldi
Supervising Planner

ATTACHMENTS:

Attachment A - Conditions of Approval
Attachment B - Vicinity Map
Attachment C - Revised Vesting Tentative Subdivision Map
Attachment D - Addendum to the previously adopted Mitigated Negative Declaration and Mitigation monitoring Program
Attachment E - April 13, 2011 Granite Bay MAC Letter
Attachment F - May 25, 2011 South Placer Fire District Letter

cc: Applicant
Rebecca Taber - Engineering and Surveying Department
Janelle Heinzler – Environmental Engineering Division, Facility Services Department
Environmental Health Services
Air Pollution Control District
Andy Fisher - Parks Department
Scott Finley - County Counsel
Michael Johnson - CDRA Director
Paul Thompson – Deputy Director
Holly Heinzen – CEO Office

Subject/chrono files



**RECOMMENDED CONDITIONS OF APPROVAL - VESTING
TENTATIVE SUBDIVISION MAP/CONDITIONAL USE
PERMIT/TREE PERMIT - "THE ENCLAVE AT GRANITE BAY "
(PSUB20080329)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Vesting Tentative Map, Conditional Use Permit and Tree Permit is approved to allow a 12-lot Planned Residential Development, with parcels ranging in area from 15,000 to 26,911 square feet. A minimum of 46 percent of the project site (± 5.6 acres) is to be set aside in open space/common area lots for wetland preservation, recreational facilities, sidewalks, a pedestrian path connecting to the Ridgeview and Oakhills Schools, landscaping, and a detention basin.
2. Following Tentative Map approval, but before submittal of Improvement Plans, the applicant shall provide the Planning Department with five full-size prints of the approved Tentative Map for distribution to other County departments, if the approval of the project requires changes to the map. **(CR) (PD)**

IMPROVEMENT PLAN

3. The project is subject to review and approval by the Placer County Development Review Committee. Such a review shall be conducted prior to the submittal of the Improvement Plans for the project and shall include, but not be limited to architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and vehicular circulation; recreational facilities; fences and walls; all open space amenities; tree impacts, tree removal, tree replacement areas, entry features, sidewalks, wetland impacts, wetland replacement areas, etc.
 4. Sidewalks: The Improvement Plans shall provide details of the location and specifications of all proposed sidewalks, as approved by the Development Review Committee and Parks Division. Said sidewalks shall be installed prior to the County's acceptance of the subdivision's improvements and all easements shall be shown on the Final Map.
 5. Landscape Plan: The Improvement Plans shall provide details of the location and specifications of all proposed landscaping and irrigation; including the size, species and number of
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evergreen trees required within the 10' wide landscape easements, as approved by the Development Review Committee and Parks Division. Said landscaping shall be installed prior to the County's acceptance of the subdivision's improvements, with the exception that front yard landscaping on individual lots be installed prior to building permit final.

6. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both electronic and printed hard copy format as required by the ESD prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety.

The applicant shall provide 5 copies of the approved Tentative Map and 2 copies of the approved conditions with the plan check application. After the 1st Improvement Plan submittal and review by the ESD, the applicant may submit the Final Map to the ESD for initial technical review. Technical review of the Final Map shall not conclude until the Improvement Plans are approved by the ESD. **(MM VI.1) (ESD)**

7. All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper

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installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

Submit to the ESD a letter of credit or cash deposit in the amount of 110% of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(MM VI.2) (ESD)**

8. Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. **(MM VI.4) (ESD)**

9. Prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the LDM and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed on- and off-site improvements and drainage easements to accommodate flows from this project. The drainage report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. "Best Management Practice" (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. **(MM VIII.1) (ESD)**

10. Water quality Best Management Practices (BMPs) shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)).

Construction (temporary) BMPs for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Stabilized Construction Entrance (LDM Plate C-4), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), straw bales, revegetation techniques, gravel bags, dust control measures, weekly street sweeping, limiting the soil disturbance, and concrete truck washout areas.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMPs shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) BMPs for the project include, but are not limited to: catch basin inserts, slope stabilization, revegetation, and a sedimentation basin. No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Prior to Improvement Plan or Final Map approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. Maintenance of these facilities shall be provided by the project owners/permittees. **(MM VI.6, MM VIII.6) (ESD)**

11. This project's ground disturbance exceeds one-acre and is subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program. Prior to issuance of a Building Permit, the applicant shall obtain a permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees. **(MM VI.7) (ESD)**

12. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM VIII.7) (ESD)**

13. Storm water run-off shall be reduced to pre-project conditions through the installation of detention facilities. Detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD). No detention facility
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construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM VIII.2) (ESD)**

14. Show the limits of the future, unmitigated, fully developed, 100-year flood plain (after grading) for the Treelake tributary to Linda Creek North on the Improvement Plans and Informational Sheet(s) filed with the Final Map(s) and designate same as a building setback line unless greater setbacks are required by other conditions contained herein. **(ESD)**

15. Provide the Engineering and Surveying Department with a letter from the South Placer Fire District describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(ESD)**

16. The Improvement Plan submittal shall include a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- A) Road and pavement design
- B) Structural foundations, including retaining wall design (if applicable)
- C) Grading practices
- D) Erosion/winterization
- E) Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, presence of smectite claysetc.)
- F) Slope stability

Once approved by the ESD, two copies of the final report shall be provided to the ESD and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems that, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report shall be required for subdivisions, prior to approval of the Improvement Plans. This certification may be completed on a lot-by-lot basis or on a tract basis. This shall be so noted in the CC&Rs and on the Informational Sheet filed with the Final Map(s). It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(MM VI.3) (ESD)**

17. An agreement or letter shall be entered into between the developer and the utility companies specifically listing the party(ies) responsible for performance and financing of each segment of work relating to the utility installation. A copy of this agreement or a letter from the utilities stating such agreement has been made shall be submitted to the Engineering and Surveying Department prior to the filing of the Final Map(s). Under certain circumstances, the telephone company may not require any agreement or financial arrangements be made for the installation of underground facilities. If so, a letter shall be submitted which includes the statement that no agreement or financial arrangements are required for this development. **(ESD)**

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18. Prior to Improvement Plan approval, the applicant shall submit an engineer's estimate detailing costs for facilities to be constructed with the project which are intended to be County-owned or maintained. County policy requires the applicant prepare their cost estimate(s) in a format that is consistent with the Governmental Accounting Standards Board, 34th Standard (GASB 34). The engineer preparing the estimate shall use unit prices approved by the Engineering and Surveying Department for line items within the estimate. The estimate shall be in a format approved by the County and shall be consistent with the guidelines of GASB 34. **(ESD)**

19. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by the Engineering and Surveying Department and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. ESD-approved signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, shall be posted at public access points along channels and creeks within the project area. The Homeowners' Association is responsible for maintaining the legibility of stamped messages and signs. **(ESD)**

20. If applicable, install cable TV conduit(s) in accordance with company or County specifications, whichever are appropriate. **(ESD)**

21. Extend a pressurized water system into the subdivision to County (Section 7 of the LDM) or fire district standards, whichever are greater. **(ESD)**

22. Prior to Improvement Plan approval, the connection of each existing residence to public sanitary sewers, shall be shown on the Improvement Plans, and shall be included in the engineer's estimate of costs for subdivision improvements. Note: Hook-up fees are not to be included in the Engineer's Estimate. The connection of each existing residence within this project to public sanitary sewers is required. **(EHS/ESD)**

23. Recreational Facilities: The Improvement Plans shall provide details of the construction of the proposed recreational facilities, public and/or private, including trails (both on- and off-site), and one disabled accessible parking space, for the review and approval of the DRC and County Parks Division. All recreation facilities shall be designed to meet Americans with Disabilities Act (ADA) Federal Guidelines and, where appropriate, the Consumer Product Safety Commission Guidelines, and the requirements of the American Society for Testing and Materials. Approval shall be evidenced by signature of a Parks Division representative on the Improvement Plans. **(PD/DFS)**

GRADING

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24. In order to protect site resources, no grading activities of any kind may take place within the 100-year flood plain of the Treelake tributary to Linda Creek North unless otherwise approved as a part of this project. **(ESD)**

25. If blasting is required for the installation of site improvements, the developer will comply with applicable County Ordinances that relate to blasting and use only State licensed contractors to conduct these operations. **(MM VI.5) (ESD)**

ROADS/TRAILS

26. Streetlights shall not exceed the minimum number required by DPW unless otherwise approved by the Development Review Committee; and shall be of a type, height, and design to direct lighting downward, shielding, to the greatest extent practical, light exposure beyond that needed for proper intersection lighting.

27. Where the Development Review Committee has approved additional streetlights, the following standards shall apply: All interior street lighting shall be designed to be consistent with the "Dark Sky Society" standards for protecting the night sky from excessive light pollution. Other resources providing technical support include publications of the Illuminating Engineering Society of North America (IESNA) and the IESNA Lighting Handbook, Reference & Application, Ninth Edition and Recommended Practices (RP). The intent of these standards is to design a lighting system, where determined necessary that maintains public safety and security in the project area while curtailing the degradation of the nighttime visual environment through limiting evening light radiation and/or light spill. In addition, metal halide lighting is prohibited unless authorized by the Planning Director. All street lighting shall be reviewed and approved by the Development Review Committee for design, location, photometrics, etc.

28. Construct an on-site subdivision road for the extension of Pastor Drive (Street A) to an Urban Minor Plate R-5 LDM standard with rolled curb and gutter and 4-foot wide sidewalks as depicted on the approved Tentative Map. Construct a minimum Cul-de-sac Plate R-9 for each roadway terminus. All subdivision roads shall be designed to meet 25 mph design speed criteria, as specified in the latest version of the Caltrans Highway Design Manual unless otherwise approved by DPW. The roadway structural sections shall be designed for a Traffic Index of 5.5 (Ref. Section 4, LDM). **(ESD)**

29. Final approval of on-site and off-site waterline, sewerline, storm drain routes, and road locations must be obtained from the DRC. **(ESD/PD)**

30. An Encroachment Permit shall be obtained from the Department of Public Works prior to Improvement Plan approvals for any landscaping within public road rights-of-way. **(ESD)**

31. Proposed road names shall be submitted to the Engineering and Surveying Department (ESD) - Addressing (530-745-7530) for review and shall be approved by the ESD prior to Improvement Plan approval. **(ESD)**

32. Construct a minimum 20-foot wide all-weather surface emergency vehicle access road, over Lot 1 from the on-site extension of Pastor Drive (Street A) north to the existing private road, Skyview Lane Fire District-approved bollards shall be installed at the end of Skyview Lane. No parking shall be allowed at any time within any emergency vehicle access road. Any gates for emergency access roads, signage, and required turnarounds shall be shown on the Improvement Plans to the satisfaction of the ESD, Facility Services Environmental Engineering Division, and the DPW. **(ESD)**

33. All sidewalks shall be constructed to a minimum width of 4-feet with Portland Cement Concrete (PCC) and meet accessibility requirements. The Homeowner's Association shall maintain all sidewalks that are located outside of the public right-of-way. **(PD/ESD/DFS)**

PUBLIC SERVICES

34. Provide to DRC "will-serve" letters from the following public service providers prior to Improvement Plan and Final Map approvals, as required:

- A) P.G. & E.
- B) San Juan Water District for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(EHS)**
- C) Placer County Facility Services - Sewer Maintenance District #2 Connection of each lot in this project to sanitary sewers is required. (Will Serve Requirements Letter dated 5/23/11)
- D) Auburn Placer Disposal Service the franchised refuse collector for weekly or more frequent refuse collection service. **(EHS)**
- E) AT&T

If such "will serve" letters were obtained as a part of the environmental review process, and are no older than one year, they shall not be required again. **(ESD)**

35. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to:

- A) Tree Lake Elementary and Roseville Union High School District
- B) The Placer County Sheriff's Office **(ESD)**

36. Prior to the approval of the Improvement Plans, confer with local postal authorities to determine requirements for locations of cluster mailboxes, if required. The applicant shall provide a letter to DRC from the postal authorities stating their satisfaction with the development box locations, or a release from the necessity of providing cluster mailboxes prior to Improvement Plan JUNE, 2011 PC

approval. If clustering or special locations are specified, easements, concrete bases, or other mapped provisions shall be included in the development area and required improvements shall be shown on project Improvement Plans. **(ESD)**

37. Concurrent with the approval of the final map by the Board of Supervisors, the developer shall establish a new Zone of Benefit (ZOB) within an existing County Service Area (CSA) or annex to a pre-existing ZOB, as directed by County, to provide adequate funding for services to the project. The ZOB shall be created in accordance with the procedures required by Proposition 218 and related statutory provisions. With the proposed final map, the developer shall submit to the County for review and approval a complete and adequate engineer's report supporting the level of assessments necessary for the establishment of the ZOB. The report shall be prepared by a registered engineer in consultation with a qualified financial consultant and shall establish the basis for the special benefit appurtenant to each lot to be established by the final map.

In the event the ZOB is for any reason abolished or otherwise unable to provide the necessary funding to support the services, a Homeowner's Association shall be established and shall be responsible for providing all services previously funded by the ZOB.

The ZOB shall fund the following services at a service level defined by County: **(DFS)**

A) Road maintenance

B) Storm drainage maintenance for facilities located within public easements including structural stormwater quality enhancement facilities (BMP's). Maintenance of BMP facilities shall be provided by the HOA unless the facilities are accepted by the County for maintenance.

The CSA assessments for BMPs shall only be charged if the HOA fails to provide the required maintenance.

ADVISORY COMMENT: Maintenance of detention facilities by the Homeowners' Association will be required.

38. Provide 24-hour access to the utility crews for regular sewer maintenance and emergency response to the two manholes proposed within the public sewer easement on Lot A. Paved access for utility vehicles and turnarounds, as required by the District, shall be provided to each sanitary sewer manhole/air relief/blow-off-valves (See Placer County General Specifications, Plates U-21, U-22.1 and U-22.2).

GENERAL DEDICATIONS/EASEMENTS

39. Provide the following easements/dedications on the Improvement Plans and Final Map to the satisfaction of the Engineering and Surveying Department (ESD) and DRC:

- a. Dedicate to Placer County a 42-foot wide highway easement (Ref. Chapter 16, Article 16.08, Placer County Code) along on-site subdivision roadways as shown on the

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approved Tentative Map for road and utility purposes. After completion of improvements, said roads may be accepted into the County's maintained mileage system. **(ESD)**

b. Public utility easements as required by the serving utilities, excluding wetland preservation easements, including a minimum 20-foot wide public sewer easement over Lot 1 from Street A to the northern property boundary and a minimum 20-foot wide public sewer easement over the sewer line proposed in Lot A (from the on-site cul-de-sac to Elmhurst Drive), as shown on the approved Tentative Map, including dedications of public sewer easement areas over any required turnarounds. **(ESD)**

c. Dedicate 12.5 foot multi-purpose easements adjacent to all highway easements. **(ESD)**

d. Drainage easements as appropriate. **(ESD)**

e. An Irrevocable Offer of Dedication for easements as required for access to, and protection and maintenance of post-construction water quality enhancement facilities (BMPs). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(MM VIII.3) (ESD)**

f. Easements as required for installation and maintenance of neighborhood identification/ entrance structures and/or fences by the Homeowners' Association.

ADVISORY COMMENT: A hold harmless Encroachment Permit will be required of the developer during the Improvement Plan process for maintenance activities within highway easements. **(ESD/PD)**

g. Dedicate a 25-foot wide emergency vehicle access and public support easement over Lot 1, from Street A to the northern property boundary, or as otherwise required by the South Placer Fire District. **(ESD)**

h. Private landscape and sidewalk maintenance easements to the Homeowner's Association as appropriate to include all sidewalks located outside of the public right-of-way. The Homeowner's Association shall maintain these facilities.

i. Landscape easements a minimum 10' wide where residential lot lines abut adjacent properties not part of this Planned Residential Development.

VEGETATION & OTHER SENSITIVE NATURAL AREAS

40. This project may be subject to review and approval by the State Dept. of Fish & Game, National Marine Fisheries Services (NMFS), and/or the U. S. Army Corps of Engineers. It is the JUNE, 2011 PC

applicant's responsibility to obtain such approvals, if necessary, prior to any grading, clearing, or excavation.

41. Temporary Construction Fencing: The applicant shall install a 4' tall, brightly colored (usually yellow or orange), synthetic mesh material fence (or an equivalent approved by the Development Review Committee) at the following locations prior to any construction equipment being moved on-site or any construction activities taking place:

- 1) Adjacent to any and all wetland preservation easements that are within 50' of any proposed construction activity;
- 2) At the limits of construction, outside the dripline of all trees 6" dbh (diameter at breast height), or 10" dbh aggregate for multi-trunk trees, within 50' of any grading, road improvements, underground utilities, or other development activity, or as otherwise shown on the Tentative Map;
- 3) Around any and all "special protection" areas as discussed in the project's environmental review documents.
- 4) Around all Open Space lots within 50 feet of any development activity.

No development of this site, including grading, will be allowed until this condition is satisfied. Any encroachment within these areas, including driplines of trees to be saved, must first be approved by the Development Review Committee. Temporary fencing shall not be altered during construction without written approval of the Development Review Committee. No grading, clearing, storage of equipment or machinery, etc., may occur until a representative of the Development Review Committee has inspected and approved all temporary construction fencing. This includes both on-site and off-site improvements. Efforts should be made to save trees where feasible. This may include the use of retaining walls, planter islands, pavers, or other techniques commonly associated with tree preservation. Said fencing and a note reflecting this Condition shall be shown on the Improvement Plans.

42. Permanent Protective Fencing: The applicant shall install permanent fencing, as may be approved by the Development Review Committee, with upright posts embedded in concrete along and around all wetland preservation easement boundaries on Lot A, and around the detention facility to the satisfaction of the Development Review Committee. Such fencing shall provide a physical demarcation to future homeowners of the location of protected easement area or Common Lot areas as required by other conditions of this project. Gates for maintenance purposes shall also be provided as required by the Development Review Committee. Such fencing shall be shown on the Information Sheet recorded concurrently with the Final Map as well as on the project Improvement Plans.

43. Wetland Preservation Easement: The area within the limits of the 100-year floodplain located on Lot A, as depicted on the Vesting Tentative Map, shall be defined and monumented as JUNE, 2011 PC

a "Wetland Preservation Easement", and shown on the project Improvement/Grading Plans and Final Map. The purpose of said easement is for the protection and preservation of on-site wetland/stream corridor habitats. A note shall be provided on the Final Map prohibiting any disturbances within said easement, including the placement of fill materials, lawn clippings, oil, chemicals, or trash of any kind within the easements; nor any grading or clearing activities, vegetation removal, or domestic landscaping and irrigation. Trimming or other maintenance activity is allowed only for the benefit of fish, wildlife, fire protection, and water quality resources, and for the elimination of diseased growth, or as otherwise required by the fire department, and only with the written consent of the Development Review Committee. A provision for the enforcement of this restriction by the homeowners' association shall be provided.

44. Lots A and B shall be defined and monumented as common area lots to be owned and maintained (including the removal of unauthorized debris) by the homeowners' association, and shown on the project Improvement/Grading Plans and Final Map. The purpose of these lots is to: (1) Protect existing wetlands; (2) protect wildlife and creek tributaries; (3) provide recreational facilities; (4) provide for emergency access; (5) provide for on-site detention; (6) provide for landscaping, utilizing native drought-tolerant plant species, and (7) provide for pedestrian connectivity and walking trails.

45. The wetlands report shall be field verified by the US Army Corps of Engineers, the US Fish & Wildlife Service, and the California Department of Fish & Game as deemed necessary by the Development Review Committee prior to the filing of the Final Map. If significant discrepancies arise between the report and the field investigation of these agencies, the Development Review Committee shall schedule a hearing before the Planning Commission to consider revocation or modification of the project's permit approvals. (MM)

46. Provide written evidence that compensatory habitat has been established through the purchase of mitigation credits at a County qualified wetland mitigation bank. The amount of money required to purchase credits shall be equal to the amount necessary to replace wetland or riparian habitat acreage and resource values including compensation for temporal loss. The total amount of habitat to be replaced is 0.30 acres of wetland habitat (the regulatory agencies may require a different ratio that will need to be satisfied). Evidence of payment, which describes the amount and type of habitat purchased at the bank site, must be provided to the County prior to issuance of Improvement Plans or Building Permits which would result in the degradation or loss of the habitat. The amount to be paid shall be the fee in effect at the time the Final Map is recorded. (MM)

47. Provide the Development Review Committee with a tree survey and arborist report (by an ISA Certified Arborist) depicting the exact location of all trees 6" dbh (diameter at breast height) or greater, or multiple trunk trees with an aggregate diameter of 10" dbh or greater, within 50' of any grading, road improvements, underground utilities, driveways, building envelopes etc., and all

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trees 18" dbh or greater, located on the entire site, and any trees disturbed from off-site improvements (*i.e.*, road improvements, underground utilities, etc.). The tree survey shall include the sizes (diameter at 4' above ground), species of trees, spot elevations, and approximate driplines. Trees to be saved, or removed shall be shown on the survey, and superimposed over the site/grading plan, as well as all proposed improvements, including any underground utilities. The survey report shall be reviewed and approved by the Development Review Committee prior to the submittal of Improvement Plans or -grading plans. Trees may not be disturbed or removed prior to the approval of Improvement Plans.

48. Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced with comparable species onsite, in an area to be reviewed and approved by the Design Review Committee, as follows: a) For each diameter inch of a tree removed, replacement shall be on an inch-for-inch basis. For example, if 100 diameter inches are proposed to be removed, the replacement trees would equal 100 diameter inches (aggregate). If replacement tree planting is required, the trees must be installed by the applicant and inspected and approved by the Design Review Committee, prior to the acceptance of improvements by the Engineering and Surveying Department. At its discretion, the Design Review Committee, may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement; or b) In lieu of the tree planting mitigation for tree removal listed above, a contribution of \$100 per diameter inch at breast height for each tree removed or impacted or the current market value, as established by an Arborist, Forester or Registered Landscape Architect, of the replacement trees, including the cost of installation, shall be paid to the Placer County Tree Preservation Fund. If tree replacement mitigation fees are to be paid in the place of tree replacement mitigation planting, these fees must be paid prior to acceptance of improvements. (MM)

49. No watering or irrigation of any kind shall be allowed within the dripline of native oak trees within the project boundaries.

50. A Mitigation Monitoring Implementation Program (MMIP) for the replacement of native oaks and other trees, prepared by an ISA certified arborist, Registered Forester, or Landscape Architect, shall be submitted to the Planning Department, prior to the submittal of the project's Improvement Plans for review and approval by the Development Review Committee. Said plan shall provide for mitigation trees to be planted by the project developer within Common Area Lots and any other areas determined appropriate by the Development Review Committee. The Plan shall include a site plan that indicates the trees' location, installation and irrigation requirements and other standards to ensure the successful planting and continued growth of these trees. Installation of all trees and irrigation systems must be completed prior to the County's acceptance of the subdivision's improvements. Access rights for monitoring and maintenance, if necessary, shall be provided to the Homeowners' Association. An annual monitoring report for a minimum period of 5 years from the date of installation, prepared by the above-cited professional, shall be JUNE, 2011 PC

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submitted to the Development Review Committee for review and approval. Any corrective action shall be the responsibility of the homeowners' association. Prior to the approval of the Improvement Plans, a Letter of Credit, Certificate of Deposit, or cash deposit in the amount of 100% of the accepted proposal shall be deposited with the Placer County Planning Department to assure on-going performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the Development Review Committee prior to the approval of Improvement Plans. For the purposes of administrative and program review by Placer County, an additional 25% of the estimated cost of the Monitoring Program shall be paid to the County, in cash, at the time that the 100% deposit is made. With the exception of the 25% administrative fee, 100% of the estimated costs of implementing the monitoring program shall be returned to the applicant once the applicant has demonstrated that all 5 years of monitoring have been completed to the satisfaction of the Development Review Committee. Refunds will only be available at the end of the entire review period. It is the applicant's responsibility to ensure compliance with the MMIP. Violation of any components of the approved MMIP may result in enforcement activities per Placer County Environmental Review Ordinance, Article 18.28.080 (formerly Section 31.870). If a monitoring report is not submitted for any one year, or combination of years, as outlined in these conditions, the county has the option of utilizing these funds and hiring a consultant to implement the MMIP. Failure to submit annual monitoring reports could also result in forfeiture of a portion of, or all of, the deposit. An agreement between the applicant and County shall be prepared which meets Development Review Committee approval that allows the County use of this deposit to assure performance of the MMIP in the event the homeowners' association reneges.

51. Prior to any grading or tree removal activities, during the raptor nesting season (March 1-September 1), a focused survey for raptor nests shall be conducted by a qualified biologist. A report summarizing the survey shall be provided to Placer County and the California Department of Fish & Game within 30 days of the completed survey. If an active raptor nest is identified appropriate mitigation measures shall be developed and implemented in consultation with California Department of Fish & Game. If construction is proposed to take place between March 1st and September 1st, no construction activity or tree removal shall occur within 500 feet of an active nest (or greater distance, as determined by the California Department of Fish & Game). Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified raptor biologist indicating that the nest (or nests) is no longer active, and that no new nests have been identified. A follow up survey shall be conducted two months following the initial survey, if the initial survey occurs between March 1st and July 1st. Additional follow up surveys may be required by the Design Review Committee, based on the recommendations in the raptor study and/or as recommended by the California Department of Fish & Game. Temporary construction fencing and signage as described herein shall be installed at a minimum 500 foot radius around trees containing active nests. If all project construction occurs between September 1st and March 1st no raptor surveys will be required. Trees previously approved for removal by Placer County, which contain stick nests, may only be removed between September 1st and March 1st. A note which includes the JUNE, 2011 PC

wording of this condition of approval shall be placed on the Improvement Plans. Said plans shall also show all protective fencing for those trees identified for protection within the raptor report. (MM)

52. A focused survey for the western spadefoot toad shall be conducted by a qualified biologist in all suitable habitats on the project site 30 days prior to commencement of ground disturbing activities to determine the presence or absence of the species. A report summarizing the survey findings shall be provided to the Placer County Planning Department and the California Department of Fish & Game within 30 days of the completed survey. If the species is found on the site, appropriate mitigation measures shall be developed and implemented in consultation with the California Department of Fish & Game. Construction activities may only resume after a follow up survey has been conducted and a report prepared by a qualified biologist indicating the impacts to the species have been mitigated in accordance with California Department of Fish & Game requirements. (MM)

CULTURAL RESOURCES

53. If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any onsite construction activities, all work must stop immediately in the area and a qualified archaeologist shall be retained to evaluate the deposit. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s). If the discovery consists of human remains, the Placer County Coroner and Native American Heritage Commission must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project. Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements which provide protection of the site and/or additional mitigation measures necessary to address the unique or sensitive nature of the site.

54. A note shall be placed on the improvement plans that if paleontological resources are discovered onsite, the applicant shall retain a qualified paleontologist to observe grading activities and salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered, which require temporary halting or redirecting of grading, the paleontologist shall report such findings to the project developer, and to the Placer County Department of Museums and Planning Department. The paleontologist shall determine appropriate actions, in cooperation with the project developer, which ensure proper exploration and/or salvage. Excavated finds shall be offered to a State designated repository such as Museum of Paleontology, UC Berkeley, JUNE, 2011 PC

the California Academy of Sciences, or any other State designated repository. Otherwise, the finds shall be offered to the Placer County Department of Museums for purposes of public education and interpretive displays. These actions, as well as final mitigation and disposition of the resources shall be subject to approval by the Department of Museums. The paleontologist shall submit a follow-up report to the Department of Museums and Planning Department which shall include the period of inspection, an analysis of the fossils found, and present repository of fossils.

FEES

55. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$2,094 (\$2,044 for Fish & Game, \$50 for Recorders) for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval.

56. This project will be subject to the payment of traffic impact fees that are in effect in this area (Granite Bay Fee District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

- A) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code
- B) South Placer Regional Transportation Authority (SPRTA)
- C) Placer County / City of Roseville JPA (PC/CR)

The current estimated fee is \$6,833 per single family residential unit. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs. **(MM XV.1) (ESD)**

57. This project is subject to the one-time payment of drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Chapter 15, Article 15.32, Placer County Code.) The current estimated development fee is \$250 per single-family residence, payable to the Engineering and Surveying Department prior to Building Permit issuance. The actual fee shall be that in effect at the time payment occurs. **(MM VIII.4) (ESD)**

58. This project is subject to payment of annual drainage improvement and flood control fees pursuant to the "Dry Creek Watershed Interim Drainage Improvement Ordinance" (Ref. Chapter JUNE, 2011 PC

15, Article 15.32, Placer County Code). Prior to Building Permit issuance, the applicant shall cause the subject property to become a participant in the existing Dry Creek Watershed County Service Area for purposes of collecting these annual assessments. The current estimated annual fee is \$89 per single-family residence. **(MM VIII.5) (ESD)**

59. The applicant shall pay a mitigation fee of one thousand, seven hundred dollars (\$1,700.00) per equivalent dwelling unit, or as otherwise approved by the Environmental Engineering Division, prior to Improvement Plan approval, toward the cost of the future Capital Improvement Project 1 (including design and construction management along with actual construction costs) as identified in the RMC Technical Memorandum Trunk Sewer Hydraulic Analysis (TM 3b). The Environmental Engineering Division will use this money to reduce surcharging within Area A by replacement, and /or rehabilitation of existing sewer infrastructure in Area A. The payment of this mitigation fee will be required prior to Improvement Plan approval. **(MM XVI.1) (ESD)**

60. Pursuant to County Code Sections 15.34.010, 16.08.100 and 17.54.100 (D), a fee must be paid to Placer County for the development of park and recreation facilities. The fee to be paid is the fee in effect at the time of final map recordation/building permit issuance. (For reference, the current fee for single family dwelling units in planned developments is \$1,250 per unit at final map and \$6,590 per unit due when a building permit is issued). The fee to be paid is the fee in effect at the time of final map recordation/building permit issuance. **(DFS)**

ENVIRONMENTAL HEALTH

61. Construction noise emanating from any construction activities for which a Grading or Building Permit is required is prohibited on Sundays and Federal Holidays, and shall only occur:

- a) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings),
- b) Monday through Friday, 7:00 am to 8:00 pm (during standard time),
- c) Saturdays, 8:00 am to 6:00 pm.

In addition, temporary signs four foot by four foot shall be located throughout the project, as determined by the Design Review Committee, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans. Essentially, quiet activities which do not involve heavy equipment or machinery may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well. The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions. **(MM)**

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62. Prior to Final Map approval, a mosquito control management/maintenance program shall be approved by the Placer Mosquito Abatement District. In addition, the Improvement Plans will be required to be reviewed by the PMAD. (MM) (EHS)

63. Prior to Improvement Plans approval, a Note shall be placed on Improvement Plans to indicate that if at any time during the course of constructing the proposed project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and to the Central Valley Regional Water Quality Control Board. (EHS)

64. The owner or occupant of each residence shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The homeowners' association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis. (EHS)

65. The drilling of individual water wells on any lot within the project area is prohibited. (EHS)

66. If Best Management Practices (BMP) are required by the Engineering and Surveying Department for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. (EHS)

AIR POLLUTION

67. Prior to the approval of Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in section 300 and 400 of APCD Rule 228, Fugitive Dust. The applicant shall not break ground prior to receiving APCD approval of the Construction Emission / Dust Control Plan.

68. Include the following standard note on the Improvement Plan: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis JUNE, 2011 PC

throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and on-site foreman.

69. Prior to the approval of Improvement Plans the applicant shall provide a plan to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

70. Include the following standard note on the Improvement Plans: Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified to cease operations and the equipment must be repaired within 72 hours. Additional information regarding Rule 202 can be found at: <http://www.placer.ca.gov/Departments/Air/Rules.aspx>

71. Include the following standard note on the Improvement Plans: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not to exceed 40% opacity and not go beyond property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations

72. Prior to approval of Improvement Plans, an enforcement plan shall be established, and submitted to the APCD for review, in order to weekly evaluate project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

73. Include the following standard note on the Improvement Plans: During construction, no open burning of removed vegetation shall be allowed. All removed vegetative material shall be either chipped on site or taken to an appropriate disposal site.

74. Include the following standard note on the Improvement Plans: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall "wet broom" if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited.

75. Include the following standard note on the Improvement Plans: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less.

76. Include the following standard note on the Improvement Plans: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties.

77. Include the following standard note on the Improvement Plans: The contractor shall apply water to control dust, as required by Rule 228, Fugitive Dust, to prevent dust impacts offsite. Operational water truck(s), shall be onsite, at all times, to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.

78. Include the following standard note on the Improvement Plans: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel powered equipment.

79. Include the following standard note on the Improvement Plans: The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment

80. Include the following standard note on the Improvement Plans: The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators.

81. Include the following standard note on the Improvement Plans: All on-site stationary equipment shall be classified as "low emission" equipment.

82. Prior to building permit approval, the applicant shall show that electrical outlets shall be installed on the exterior walls of both the front and back of all residences or all commercial buildings to promote the use of electric landscape maintenance equipment.

83. Prior to building permit approval, the applicant shall show provisions for construction of new residences, and where natural gas is available, the installation of a gas outlet for use with outdoor cooking appliances, such as a gas barbecue or outdoor recreational fire pits.

84. Prior to building permit approval, in accordance with District Rule 225, only U.S. EPA Phase II certified woodburning devices shall be allowed in single-family residences. The emission potential from each residence shall not exceed a cumulative total of 7.5 grams per hour for all devices. Masonry fireplaces shall have either a EPA certified Phase II woodburning device or shall be a U.L. Listed Decorative Gas Appliance.

85. Include the following standard note on the Improvement Plans: The demolition or remodeling of any structure may be subject to the National Emission Standard for Hazardous Air Pollutants (NESHAPS) for Asbestos. This may require that a structure to be demolished be inspected for the presence of asbestos by a certified asbestos inspector, and that all asbestos materials be removed prior to demolition. For more information, call the California Air Resources Board at (916) 916) 322-6036 or the U. S. EPA at (415) 947-8704.

MISCELLANEOUS CONDITIONS

86. No lot shall be further divided.

87. No Lot shall be divided by a tax district boundary.

88. Any future gated entry feature proposed by the applicant shall be returned to the Planning Commission for approval of a modification of the discretionary permit.

89. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as The Enclave at Granite Bay. The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition.

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90. Prior to the filing of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the Engineering and Surveying Department, County Counsel, and other appropriate County Departments and shall contain provisions/notifications related to those issues included in these Conditions of approval.

91. Prior to recordation of the Final Map, the applicant shall submit lighting development standards for inclusion in the CC&R's. The standards shall be reviewed and approved by the Development Review Committee and shall include General Lighting Standards, Residential Standards, Prohibited Lighting and Exemptions, and shall ensure that individual fixtures and other lighting in the subdivision will be designed, constructed, and installed in a manner that controls glare and light trespass, minimizes obtrusive light, and conserves energy and resources.

92. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**

93. Any entrance structure, if proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the public right-of-way. **(PD/ESD)**

CONDITIONS, COVENANTS, & RESTRICTIONS

94. Prior to approval of the Final Map, Conditions, Covenants, and Restrictions (CC&Rs) shall be prepared and submitted to and approved by the Engineering and Surveying Department, County Counsel, and other appropriate County Departments. They shall be recorded concurrently with the filing of the Final Map and shall contain provisions/notifications for:

- a. The applicants shall create a Homeowners' Association with certain specified duties/responsibilities including the enforcement of all of the following notifications.
- b. Maintenance of water quality BMPs by the Homeowner's Association.
- c. Maintenance of common areas including sidewalks, trails, and emergency vehicle access roads by the Homeowner's Association.
- d. Notification that the owner or occupant of each residence in this project shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. The homeowner's association shall be responsible for refuse collection service to all non-residential facilities within the project on the same basis.

- e. Development standards, including building setbacks, height limitations, and maximum lot coverage.

None of the provisions required by this condition of approval shall be altered without the prior written consent of Placer County. (PD/ESD/EHS/APCD)

NOTIFICATION TO FUTURE BUYERS

- 95. Notification to all future owners and builders that removal or disturbance of oak trees 6" dbh or greater or multiple trunk trees with an aggregate diameter of 10" dbh or greater and not previously approved for removal by Placer County is prohibited unless prior approval is received by the Placer County Development Review Committee. A provision for the enforcement of this restriction by the homeowner's association shall be provided.
- 96. Notification to all future owners that all outdoor lighting shall be shielded such that direct rays from the lamp are directed downward and do not cross property lines. Motion sensor lighting shall be encouraged to minimize night sky light pollution.
- 97. Notification to all future owners of the requirements to submit all building plans and site/grading plans to the Homeowners' Association Architectural Review Committee and obtain approval prior to submittal to Placer County for Building Permits. Building plans shall comply with architectural guidelines, building setbacks, height restrictions, building coverage, grading restrictions (i.e., concrete slab foundation).
- 98. Notification to all future owners of affected lots that are located adjacent to common area lots, regarding the provision of easements to the Homeowners' Association for maintaining such lots. A minimum 24-hour notification to affected homeowners shall be provided prior to any work by the homeowners' association.
- 99. Notification to all future owners of affected lots with 10' landscape easements that these areas must be maintained by the homeowner, including irrigation, and replacement trees (evergreens) planted, if necessary due to dead or dying trees. A provision for the enforcement of this restriction by the homeowner's association shall be provided.
- 100. Notification to all future owners of a listing of drought tolerant plant materials and information regarding drip irrigation systems designed to conserve water.
- 101. Notification to all future owners that no structures, including solid fencing over 3' in height, may be installed in front setback areas, including any property frontages along roadways (unless otherwise allowed under section 17.54.030(B)(1) of the Placer County Zoning Ordinance).

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102. Notification to all future owners that no storage of boats, trailers, recreational vehicles, campers, or inoperable vehicles within the project except to the side or rear of a residence, and screened from street view is allowed.

103. Notification to all future owners and occupants that the keeping of horses and other livestock is prohibited within the project site.

104. Notification to all future owners and builders that prior to issuance of any Certificate of Occupancy, the applicant shall submit evidence to the Planning Department demonstrating that the required street shade trees have been installed with irrigation. Said evidence may include any of the following:

- a. A site plan depicting the location, size, species and number of required trees, and irrigation prepared and signed by a licensed landscape architect with a statement that installation has occurred.
- b. A photograph(s) depicting the above information that includes the date and shows the address of the property.
- c. A field verification by a Placer County employee determining the above requirements have been satisfied.

105. Notification to all future owners of the County's Right to Farm Ordinance, which discloses the potential effects of residing near on-going agricultural operations. This statement shall inform the property owner(s) that farm operators have a "right to farm" their lands despite potential nuisance to neighboring properties, including noise, odors, and use of toxic and hazardous materials". A statement to this effect shall also be included in the project's CC&R's.

106. An "Informational Sheet" identifying general and specific lot development restrictions, setbacks, easements, tree protection, architectural guidelines, etc., as defined within the conditions herein, shall be prepared, filed, and recorded with the subdivision Final Map. The specific content and form of this information shall be subject to Development Review Committee approval.

107. Applicant or Homeowners' Association shall distribute printed educational materials highlighting information regarding the stormwater facilities/BMPs, recommended maintenance, and inspection requirements, as well as conventional water conservation practices and surface water quality protection, to future buyers. **(ESD/EHS)**

108. Inspections of stormwater facilities/BMPs shall be conducted by the Homeowner's Association at least annually and maintenance records and proof of inspections shall be retained. **(ESD)**

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DEVELOPMENT STANDARDS

109. Minimum setback requirements for all structures shall be as follows: A) Front - 20'; B) Side – 5' (except 35' along the east property lines for lots 1 and 12); C) Rear - 35'. The distance between the face of the garage door and the back of sidewalk shall be a minimum driveway length of 20 feet for each residential lot. Setbacks for pools and related equipment areas are defined in Section 17.54.140 of the Placer County Zoning Ordinance.

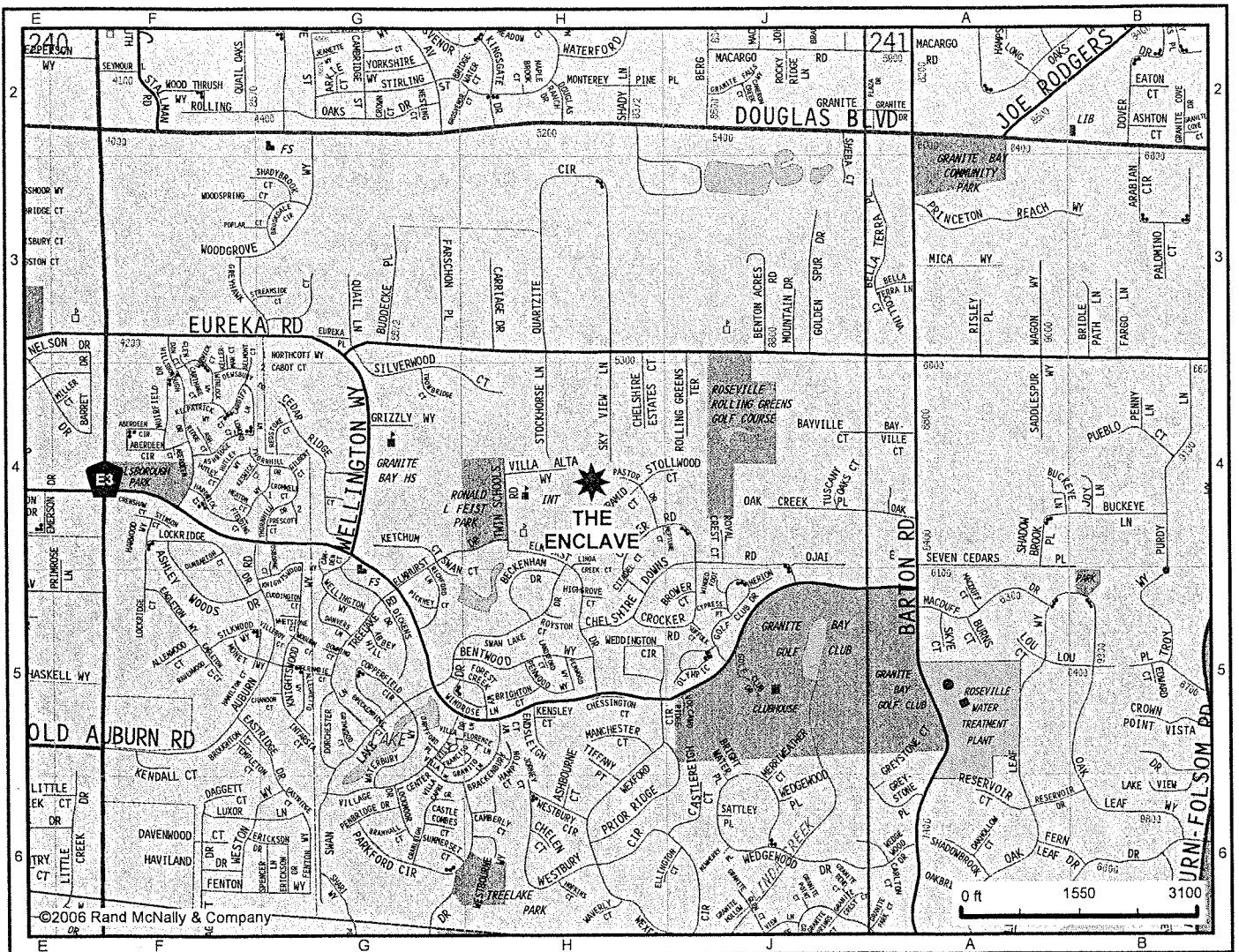
110. Maximum building height for this Planned Development is 30'.

111. Notification to all future owners and builders that the maximum building coverage per residential lot in this Planned Development shall comply with Section 17.54.100 of the Placer County Zoning Ordinance.

EXERCISE OF PERMIT

112. The applicant shall prepare and submit to the Engineering and Surveying Department (ESD), a Final Subdivision Map which is in substantial conformance to the approved Tentative Map in accordance with Chapter 16 of the Placer County Code; pay all current map check and filing fees. **(ESD)**

113. The applicant shall have 36 months to exercise this Vesting Tentative Map and Conditional Use Permit unless exercised; this approval shall expire on June 9, 2014.



THE ENCLAVE: 5100 Pastor Dr, Unknown City, CA 95746, 240 - H4

